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RALPH B. BRICK

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PTO/SB/08 (01-02)

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1998. See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/781,786
Filing Date	02/12/01
First Named Inventor	KYUNG-JU C. YOUNG
Group Art Unit	1723
Examiner Name	TERRY K. CEASIL
Attorney Docket Number	DO-GAAT-ION 7318

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.63 (d) (PTO/SB/08) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 18, 2000); Interim Rule, 65 Fed. Reg. 14845 (Mar. 20, 2000); 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

a.  Previously submitted

- i.  Consider the amendment(s) reply under 37 C.F.R. § 1.116 previously filed on 08/27/02.  
(Any unentered amendment(s) referred to above will be entered).

- ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.

- iii.  Other \_\_\_\_\_.

b.  Enclosed

- i.  Amendment/Reply - Amendment "C"  
ii.  Affidavit(s)/Declaration(s)  
iii.  Information Disclosure Statement (IDS)  
iv.  Other \_\_\_\_\_.

2. Miscellaneous

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required).

- b.  Other \_\_\_\_\_.

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

11/05/2002 GBUTLER 00000006 09/781,786 Director is hereby authorized to charge the following fees, or credit any overpayments, to

01 FC:1801  
02 FC:1202

Deposit Account No.  
 i.  \$40.00 required under 37 C.F.R. § 1.17(e)  
 ii.  \$24.00 sum of time fee (37 C.F.R. §§ 1.136 and 1.17)  
 iii.  Other \_\_\_\_\_.

b.  Check in the amount of \$ 1740.00 enclosed.

c.  Payment by credit card (Form PTO-2038 enclosed) \$1740.00 + 372.00 = 1112 (RCE Fee + initial Cleaning)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Ralph B. Brick	Registration No. (Attorney/Agent)	17444
Signature	Ralph B. Brick	Date	10/14/02

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Ralph B. Brick	Date	10/14/02
Signature	Ralph B. Brick		

**Burden Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND COMPLETED FORMS TO THE FOLLOWING ADDRESS: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

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ALPH B BRICK

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FAX After Final 1-703-872-9311 (2.0 pages)  
ATTN: EXR. TERRY CECIL - Art Unit 1723 with request  
to confirm receipt. Ralph B. Brick Reg No. 17444 PATENT

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Priority Card  
11/6/02  
R. B. Brick  
C.O.P.Y

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

APPLICANT	:	KYUNG-JU CHOI
SERIAL NO.	:	09/781,786
FILING DATE	:	02/12/01
ART UNIT	:	1723
EXAMINER	:	TERRY K. CECIL
FOR	:	PRODUCT AND METHOD OF FORMING SUCCESSIVE LAYERS OF FACE-TO-FACE ADJACENT MEDIA WITH CALCULATED PORE SIZE
DOCKET NO.	:	00-6AAF (DN 7814)

Box RCE Amendment  
Commissioner for Patents  
Washington, D.C. 20231

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GROUP 1700

RCE TRANSMITTAL  
AMENDMENT "C".

This is a Request for Continued Examination (RCE) in response to the Patent Office communication dated 09/16/02 wherein the Examiner indicated at Page 2 of the Advisory Action of Paper No. 10 – as well as in telephone discussions – that Applicant's invention seems more conducive to method claims in the absence of corresponding structure in the media.

It respectfully is submitted that the unique and novel presently amended product and method Claims 1-27 are a unified portion of the Applicant's invention since they set forth a unique product (Figures 2 and 3) which results from a novel method of calculation which now is expressed in the additional new Claims 28-44 of Exhibit "A." (RCE) included herewith, along

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with further modifications to parent Claims 1, 18, 19, and 27 and accordingly the dependent Claims therefrom.

As to the presently amended parent Claims of method Claims 19-27, these now amend the Claims set forth a unique method which finds corresponding structure in the schematic flow diagrams of Figures 1A and Figure 1B (described at page 7 of the Specification under "BRICK").

**DESCRIPTION OF THE DRAWINGS".**

All of the Claims, both newly added and initially filed Claims bring out in each of the parent Claims, Applicant's inventive feature with respect to the "porosity" factor comprising the ratio of pore volume to the total volume of filter media. This feature - which Examiner consistently appears to ignore or disregard - is clearly recited at page 14, line 14 of Applicant's initially filed Specification and now in all of the parent Claims. It is one of the many important features of Applicant's unique and novel invention and as discussed in Applicant's Amendment "B", there is neither a teaching nor the faintest suggestion whatsoever of the important four combined factors of layer thickness, porosity, fiber and pore sizes. In fact, there is no mention whatsoever in this AP article of the "porosity" factor and it is this factor of "porosity" in combination with the other three considered factors that assures the now clearly recited result wherein overall average pore size of the combined successive thicknesses is smaller than that of the average overall pore size of that of the finest fiber thickness, so as to optimize filtration performance efficiency. Neither AP nor any of the other references of record teach or suggest such result let alone the manner of reaching such result and Examiner's suggestion that such result could be arrived at by the A-P reference without the absent factor consideration of "porosity" is at best an inaccurate and cavalier assumption.

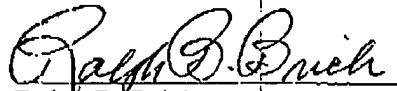
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For the reasons previously stated in Amendment "B" and for those set forth herein, it respectfully is submitted that now pending Claims 1-44 (as amended) should be held allowable and the instant application should be passed to Issue.

Concerning the two bulleted items, the numerals 4 and 4' are now incorporated in the corrected drawings (Figures 1A and 1B, respectively) per my letter mailed on the 25<sup>th</sup> day of August, 2002. Further, the Specification paragraph beginning at page 8 has been amended at continuing page 9, the 5<sup>th</sup>, 6<sup>th</sup> and 8<sup>th</sup> lines from the page bottom to include 21', 37 and 38'.

Applicant is faxing this "RCE" to Examiner at the fax number below. In the event Examiner persists in its rejection of the Claims as now amended, it respectfully is requested Examiner telephone Applicant's Attorney at the telephone number below in order to resolve any remaining differences or to arrange for an interview at Examiner's office, with Examiner, Examiner's Supervisor, Applicant's Attorney and hopefully, Dr. Choi in attendance.

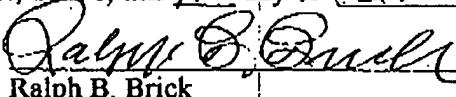
Respectfully submitted,



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St. Louis, MO 63141  
Telephone: (502) 895-4672

CERTIFICATION

I HEREBY CERTIFY that this correspondence is being faxed to Examiner at telephone number: 703-872-9311, with the correspondence being addressed to: Box RCE Amendment, Commissioner for Patents, Washington, D.C., 20231, this 19<sup>th</sup> day of Oct., 2002.



Ralph B. Brick

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